

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LUMINATI NETWORKS LTD.	§	
Plaintiff,	§	
v.	§	Case No. 2:18-CV-00483-JRG
BI SCIENCE, INC.,	§	
Defendant.	§	

**PLAINTIFF LUMINATI NETWORKS LTD.'S NOTICE OF APPEAL**

Following the July 29, 2020 Notice of Appeal (Dkt. 228) filed by Defendant BI Science (2009) Ltd., also known as BI Science Inc., Plaintiff Luminati Networks Ltd. (“Luminati”) hereby respectfully gives notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Order and Final Judgment entered in this action on July 2, 2020 (the “Final Judgment”)<sup>1</sup>, and from the Court’s December 6, 2020 Order (the “Claim Construction Order,” Dkt. No. 130) subsumed within the Final Judgment, to the extent that Final Judgment and Claim Construction Order found claim 108 of U.S. Patent No. 9,241,044 indefinite.

Dated: August 18, 2020

Respectfully submitted,

By: /s/ Korula T. Cherian  
Mark Mann  
Mann | Tindel | Thompson

---

<sup>1</sup> Luminati and Defendant BI Science (2009) Ltd., also known as BI Science Inc., filed a joint Motion to Correct the Final Judgment on July 24, 2020 (“Joint Motion,” Dkt. 223) pursuant to Fed. R. Civ. Pro. 60 to expressly incorporate the finding that claim 108 of U.S. Patent No. 9,241,044 as indefinite. While the Joint Motion is still pending and under Federal Circuit Rule 4(a)(4)(A)(vi) “the time to file an appeal runs for all parties from the entry of the order disposing of the last such remaining motion,” out of an abundance of caution, Luminati files this Notice of Appeal with regard to the Final Judgment, and in the event that the Joint Motion is granted, the corrected Final Judgment.

300 West Main  
Henderson, TX 75652  
[mark@themannfirm.com](mailto:mark@themannfirm.com)  
Office 903-657-8540  
Cell 903-658-0401  
Marshall Office 903-472-4294  
Tyler Office 903-596-0900  
Waco Office 254-776-3336

Amadou Kilkenny Diaw  
Ronald Wielkopolski  
RuyakCherian LLP  
1901 L St. NW, Suite 700  
Washington, DC 20036

Korula T. Cherian  
Robert Harkins  
RuyakCherian LLP  
1936 University Ave, Ste. 350  
Berkeley, CA 94702

S. Calvin Capshaw  
State Bar No. 03783900  
Elizabeth L. DeRieux  
State Bar No. 05770585  
Capshaw DeRieux, LLP  
114 E. Commerce Ave.  
Gladewater, TX 75647  
Telephone: 903-845-5770  
[ccapshaw@capshawlaw.com](mailto:ccapshaw@capshawlaw.com)  
[ederieux@capshawlaw.com](mailto:ederieux@capshawlaw.com)

Attorneys for Plaintiff  
Luminati Networks Ltd.